C.S. 1001 — (3)

IN THE HIGH COURT OF JUDICATURE AT BILASPUR

WRIT PETITION NO. 3363 /2004

PETITIONER : Janpad Panchayat, Wadrufnagar through its President of Standing Committee of Education Shri Harish Chandra Gupta S/o Shri Mahavir Prasad Gupta, aged 45 years, R/o Village & Post Banlagi, Tahsil Wadrufnagar, District Surguja (C.G.)

-VERSUS-

RESPONDENTS :

1. State of Chhattisgarh through Secretary, Panchayat & Rural Development Department, D.K.S.Bhavan, Raipur (C.G.)
2. Collector, Surguja at Ambikapur (C.G.)
3. Chief Executive Officer, Zila Panchayat, Surguja at Ambikapur (C.G.)
4. Chief Executive Officer, Janpad Panchayat, Wadrufnagar, District Surguja (C.G.)

P.R. No. 3320/04
Presented by Shri Ar. U. Singh
dated 16-9-04

16.9.04

WRIT UNDER ARTICLE 226/227 OF THE CONSTITUTION OF INDIA FOR ISSUANCE OF A SUITABLE WRIT, ORDERS OR DIRECTION.

XI-HC-22

(49)

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

मामला क्रमांक WP 3363/04 **सन्** 200

विरुद्ध

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

D.B.: Hon. Shri Fakhruddin, Ag.C.J.
& Hon. Shri V.K. Shrivastava, J:

12-01-2005

Shri I.S. Sahu for the petitioner.

Shri Prashant Mishra, Addl. A.G., for respondents no.1 & 2.

Heard.

This matter was tagged with the batch of cases where the validity or otherwise of Chhattisgarh Panchayat Shala Samvida Shikshak (Appointment & Conditions of Service) Rules, 2004 have been challenged.

Counsel for the petitioner submits that the petitioner has not challenged the validity of the aforesaid Rules. He also submits that the roster prescribed in Rule 6 has not been followed and the petitioner has challenged the reservation roster (Annexure-P/7) to the effect that it is not in conformity with the Rule 6.

Counsel for the petitioner contended that the petitioner had submitted a representation (Annexure-P/8) to the Collector, which has not been decided so far.

Shri Prashant Mishra, Addl. A.G., on the other hand submits that the petitioner may make a representation afresh within seven days before the Chief Executive Officer, Zila Panchayat, which will be considered and decided on its own merits at the earliest.

[पीछे देखिये

XI-HC-22

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

मामला क्रमांक ..... सन् 200

..... विरुद्ध .....

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित — 2 —	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

In view of the above, counsel for the petitioner wants to withdraw this petition with liberty to file a representation afresh before the Chief Executive Officer, Zila Panchayat.

Having thus considered and without entering into the merits of the case, in our opinion, it is directed that the petitioner may file a representation afresh before the Chief Executive Officer, Zila Panchayat within seven days and on such representation being filed, the same shall be considered and decided on its own merits in accordance with law as early as possible preferably within two weeks from the date of receipt of the representation. In case, any grievance still subsists, the petitioner may avail the remedy available under the law.

Accordingly, this petition stands disposed of as withdrawn with the liberty aforesaid.

Consequently, M.W.P. No.2958/04 also stands disposed of.

Certified copy as per rules.

Sd/-
Ag. Chief Justice

Sd/-
V.K. Shrivastava
Judge

[पीछे देखिये